

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ORACLE AMERICA, INC.,

No. C 10-03561 WHA

Plaintiff,

v.

**SUPPLEMENTAL ORDER
REGARDING PATENTING
MARKING**

GOOGLE INC.,

Defendant.

In responding to the Court's proposed order regarding patent marking, the recent submissions from both parties have caveats (Dkt. Nos. 638, 640). Both sides shall meet and confer in person and devise a fully agreeable procedure regarding the marking statute. The agreement must include the evidentiary effect of the procedure. That is, if both sides agree on an item, shouldn't that item be deemed established for all purposes at trial? The order to show cause is withdrawn in favor of requiring both sides to agree in full on a procedure and to submit the procedure by **NOON ON DECEMBER 20, 2011**.

IT IS SO ORDERED.

Dated: December 6, 2011.


WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE